

## **LISTING OF THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claim in the application:

1 (previously presented). A device for injecting bone cement, comprising:

- a) a flexible delivery tube having a proximal end portion, a distal end portion, and an inner bore defining an inner diameter,
- b) a flexible plunger having a distal end portion sized for slidable reception in the bore and a flexible proximal end portion,
- c) an advancement means for distally advancing the plunger, the means located adjacent the proximal end portion of the flexible delivery tube, and
- d) a cannula having a proximal end attached to the distal end portion of the flexible delivery tube.

2(original). The device of claim 1 wherein the inner bore is sterile.

3 (previously presented). The device of claim 1 wherein the tube is made of PEEK.

4 (canceled).

5(original). The device of claim 1 wherein the inner diameter of the flexible delivery tube is between 0.05 and 0.2 inches.

6(canceled).

7(previously presented). The device of claim 1 wherein the distal end portion of the delivery tube is flexible.

8(canceled).

9(original). The device of claim 1 wherein the diameter of the flexible delivery tube is between 50% and 200% of the diameter of the cannula.

10(original). The device of claim 1 wherein the flexible delivery tube has a length of at least 20 cm.

11(original). The device of claim 1 wherein the flexible delivery tube has a length of between 20 cm and 40 cm.

12(original). The device of claim 1 wherein the bore of the flexible delivery tube has a volume of less than 4 cc.

13(original). The device of claim 1 wherein the bore of the flexible delivery tube has a volume of less than 3 cc.

14(original). The device of claim 1 wherein the bore of the flexible delivery tube has a volume of less than 2 cc.

15(cancelled).

16(original). The device of claim 1 wherein the bore is filled with a bone cement having a temperature of less than room temperature.

17(original). The device of claim 1 wherein the bore is filled with a bone cement having a temperature of no more than 10 °C

18(original). The device of claim 1 wherein the bore is filled with a bone cement comprising an acrylic-based bone cement.

19(withdrawn). The device of claim 1 wherein the bore is filled with a bone cement comprising a paste comprising bone particles.

20(withdrawn). The device of claim 1 wherein the bore is filled with a bone cement comprising a ceramic-based bone cement.

21(original). The device of claim 1 wherein the plunger has a cylindrical shape and has a constant outer diameter.

22(original). The device of claim 1 wherein the plunger has a first distal end portion diameter and a second proximal end portion diameter, wherein the first distal end portion diameter is greater than the second proximal end portion diameter.

23(original). The device of claim 1 wherein the plunger is adapted to enhance its attachment to the advancing means.

24-26(cancelled).

27(original). The device of claim 1 wherein the advancing means is located on a hand-held gun.

28(withdrawn). The device of claim 1 wherein the advancing means comprises a threaded cylinder.

29(withdrawn). The device of claim 1 wherein the advancing means comprises a gear drive.

30(cancelled).

31 (Withdrawn). A method of delivering bone cement, comprising the steps of:

- a) providing a flexible delivery tube having a proximal end portion, a distal end portion, and an inner bore defining an inner diameter,
- b) filling the bore of the flexible delivery tube with a viscous bone cement,
- c) distally advancing a flexible plunger through the bore, thereby ejecting the viscous bone cement from the bore.

32. (Withdrawn). The method of claim 31 wherein the viscous bone cement is ejected from the bore and into a cannula located in a fractured vertebral body.